

ELEVENTH DAY.

Senate Chamber,
Austin, Texas,
Tuesday, January 26, 1915.

The Senate met at 1:30 o'clock p. m., pursuant to adjournment, and was called to order by Lieutenant Governor W. P. Hobby.

The roll was called, a quorum being present, the following Senators answered to their names:

Astin.	King.
Bailey of Harris.	Lattimore.
Bee.	McGregor.
Clark.	McNealus.
Conner.	Morrow.
Darwin.	Page.
Gibson.	Parr.
Hall.	Robbins.
Harley.	Suiter.
Harris.	Townsend.
Henderson.	Westbrook.
Johnson.	Wiley.

Absent.

Brelsford. Nugent.
Hudspeth.

Absent—Excused.

Bailey of DeWitt. Smith.
Cowell.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Bailey of Harris.

See Appendix for Committee Reports and Petitions and Memorials.

Simple Resolution No. 51.

By Senator King:

Whereas, There is pending before the Committee on Senatorial Districts, S. B. No. Twenty-one (21), with reference to redistricting the State into Senatorial districts; and,

Whereas, each Senator is vitally interested in this bill; therefore, be it

Resolved, That the same be ordered printed in the Senate Journal.

The resolution was read and adopted.

(Note: See Appendix for the bill in full.)

Executive Session—Time Set For.

Senator Clark moved that the Senate go into Executive Session tomorrow at 2 o'clock p. m. for the purpose of considering such appointments by the Governor as has already been sent to the Senate or that may be sent between now and that hour.

The motion was adopted.

Invitation to Visit Confederate Woman's Home.

Austin, Texas, January 25, 1915.

To the Senate of the State of Texas:

I take pleasure in extending an invitation to each member of your honorable body to visit the Confederate Woman's Home, which institution, as you know, cares for the wives and the widows of our Confederate soldiers.

I will be glad to have you come, at an early day, and trust it may be convenient for you to advise me when I may expect you.

Trusting your success, in every way, may continue, and that your deliberations may result in great good,

Yours very sincerely,
KATIE DAFFAN.

On motion of Senator Bee, the above invitation was accepted.

Bills and Resolutions.

By Senators McGregor and Henderson:

S. B. No. 149, A bill to be entitled "An Act creating a State Trunk Highway Department, which shall be a part of the prison system of Texas, as that term is defined by law, and providing that the Board of Prison Commissioners shall be ex officio State Highway Commissioners; and providing for the construction, maintenance and control by the State of a system of State trunk highways, at the cost of the State, and to be built with convict labor, as near as possible," etc.

Read first time, and referred to Committee on Roads, Bridges and Ferries.

By Senator Hall:

S. B. No. 150, A bill to be entitled "An Act to amend Article 3785, Re-

vised Civil Statutes of 1911, designating the personal property that shall be reserved to every family, exempt from attachment or execution, and every other species of forced sale for the payment of debts as are mentioned and designated in Article 3792 and Article 3793, Revised Civil Statutes of 1911.

Read first time, and referred to Judiciary Committee No. 1.

By Senator Johnson, by request:

S. B. No. 151, A bill to be entitled "An Act prescribing additional duties, and conferring additional power and authority upon the Board of Warehouse Supervisors of the State of Texas; providing a more efficient system of selling, shipping and buying of agricultural products; protecting the public and the purchaser against fraud, and to assist, encourage, and educate producers and purchasers of agricultural products to a more efficient system of distributing, selling and shipping, and buying of agricultural products; providing for the appointment of local shipper's agents, defining their duties; prescribing their bonds and liabilities thereunder; fixing venue for suits thereon; the compensation of such shipper's agents; providing a gross receipt tax on the income of such shipper's agents; and the manner of buying and collecting the same; making an appropriation in support of this Act; and declaring an emergency."

Read first time, and referred to Committee on State Affairs.

By Senator Townsend:

S. B. No. 152, A bill to be entitled "An Act providing that all property or moneys received as compensation for personal injuries sustained by the wife, shall be her separate property, and declaring an emergency."

Read first time, and referred to Judiciary Committee No. 1.

By Senator Bee, by request:

S. B. No. 153, A bill to be entitled "An Act authorizing the Railroad Commission of Texas to require railroad companies or receivers thereof operating lines of railway within the State of Texas to construct and operate spur tracks connecting with their main lines or branch lines and extending to private industries or businesses; to prescribe the terms and conditions under which such

spur tracks shall be built and to fix reasonable and just rates to be charged by railroad companies or receivers thereof for the operation of such spur tracks; also authorizing the Railroad Commission of Texas to prescribe the rates, terms and conditions for the operation of such spur tracks already built and which may be owned either by the railroad company or by individual or corporate interests, or jointly; also authorizing the Railroad Commission of Texas to correct abuses and unjust discrimination in reference to the construction, operation and maintenance of such spur tracks, and conferring upon the railroad companies the power of eminent domain to acquire rights-of-way for the construction of such spur tracks, fixing penalties for violations of said Act, and declaring an emergency."

Read first time, and referred to Committee on Internal Improvements.

By Senator Hall:

S. J. R. No. 5: S. J. R. to be entitled "A Joint Resolution proposing and submitting to a vote of the people of Texas an amendment to Sections 50 and 51, of Article 16, of the Constitution, providing that the homestead of a family shall be protected from forced sale for the payment of all debts, except for the purchase money or a part of the purchase money due thereon, or for work and material used in constructing improvements thereon, and prescribing what shall constitute such improvements, and prescribing the manner in which such last mentioned debts shall be contracted; defining what shall constitute a rural homestead, and what shall constitute an urban homestead, and the maximum value thereof at the time it is designated as such homestead."

Read first time, and referred to Committee on Constitutional Amendments.

(By unanimous consent.)

By Senator Gibson, by request:

S. B. No. 154, A bill to be entitled "An Act to regulate the publishing, printing, and circulation and distribution of campaign advertisements, bills and circulars or literature of any character, by requiring every person, firm or corporation who shall print or publish a news-

paper of any character in which are any advertisements concerning any candidate for nomination at any primary election or convention of any character, or concerning any candidate for any office or position, or concerning any measure to be voted for or on at any general or special election, to print at the end of each and every such advertisement a true and correct statement showing the individual name of the person who ordered such advertisement and the date of such order; also requiring every person, firm or corporation who shall publish or print any bills, circulars or other literature of any kind concerning any candidate for nomination at any primary election or convention of any character or concerning any candidate for any office or position or concerning any measure, to be voted for or on at any general or special election, to print at the end of each and every such bill, circular or other literature a true and correct statement showing when and where same was published or printed, the individual name of the person who ordered same published or printed and the date of such order; requiring every person who orders such advertisement, bill, circular or other literature to truthfully state who ordered same; prohibiting the circulation or distribution of any such bills, circulars, or other such literature without such statement; prescribing penalty for violation of said Act, and declaring an emergency."

Read first time, and referred to Committee on Privileges and Elections.

By Senator Bee:

S. B. No. 155, A bill to be entitled "An Act to amend Article 1539 of the Revised Civil Statutes; providing for the appointment by the Supreme Court of stenographers for that court, and fixing their salaries, and making an appropriation therefor, and declaring an emergency."

Read first time, and referred to Judiciary Committee No. 1.

By Senator McNealus:

S. B. No. 156, A bill to be entitled "An Act to amend Article 5685 of the Revised Civil Statutes of Texas of 1911, by providing that no action for injuries done to the character or reputation of another by libel or slander shall be maintained un-

less written notice of the claim therefor has been given by the claimant to the adverse party or parties within ninety days after the accrual of the cause of action."

Read first time, and referred to Committee on Public Printing.

By Senator McNealus:

S. B. No. 157, A bill to be entitled "An Act to fix the venue of suits for damages for libel and slander."

Read first time, and referred to Committee on Public Printing.

By Senator McNealus:

S. B. No. 158, A bill to be entitled "An Act to amend Article 5597 of Chapter 1, Title 84, of the Revised Civil Statutes of Texas of 1911, so as to make privileged, without proof of actual malice, fair, true and impartial accounts of all executive and legislative proceedings, including all reports and proceedings in or before legislative committees, boards of managers of public, educational and eleemosynary institutions, city councils and other governing bodies of cities and towns, commissioners courts and boards of trustees of public schools."

Read first time, and referred to Committee on Public Printing.

By Senator McNealus:

S. B. No. 159, A bill to be entitled "An Act to amend Article 5598 of the Revised Civil Statutes of the State of Texas of 1911, Title 84, Chapter 1, by providing that nothing in said Title shall be construed to take away any now or heretofore existing defense to a civil action for libel, and preserving all such defenses."

Read first time, and referred to Committee on Public Printing.

By Senator Bee:

S. B. No. 160, A bill to be entitled "An Act making an appropriation to enable the Railroad Commission of Texas to employ, and pay the compensation and expenses of, such experts and attorneys as may be necessary in the judgment of the Commission, to aid and represent the Commission in developing the facts essential to be ascertained in passing upon the application now pending before the Commission of the principal railroad companies in this State for an increase in all rates applying on shipments of freight wholly between

points in this State, and as may be necessary, in the judgment of the Commission, in aiding and representing the Commission in any litigation that may arise out of the action of the Commission on said application; providing the manner of expending such appropriation, and declaring an emergency."

Read first time, and referred to Committee on Finance.

Morning call concluded.

House Concurrent Resolution No. 1.

(By unanimous consent.)

Senator Darwin moved to suspend the Senate rule, requiring committee reports to lie over for one day for the purpose of considering H. C. R. No. 1.

The motion was adopted.

The committee report was adopted.

The Chair laid before the Senate, H. C. R. No. 1: Providing the form for printing House bills.

The resolution was read and adopted.

Senator Darwin moved to reconsider the vote by which H. C. R. No. 1 was passed and table the motion to reconsider.

The motion to table prevailed.

Senate Bill No. 50.

(By unanimous consent.)

The Chair laid before the Senate, on second reading,

S. B. No. 50. A bill to be entitled "An Act making it compulsory to provide adequate fire escapes upon all buildings of over two stories in height, used now or hereafter, wholly or in part as a seminary, college, academy, school house, dormitory, lodging house, hotel or hospital, for the accommodation of transient guests, manufactory, wholesale, retail or department store, or in any place in which five or more persons shall be assembled, other than a private residence."

The committee report with (committee) amendments, was adopted.

Senator Townsend offered the following three amendments, separately, which were read and adopted:

(1) Amend the bill on page 1, line 15, by adding after the word

"building," "of over two stories in height."

(2) Amend the bill by adding at the end of the caption the words, "And declaring an emergency."

(3) Amend the bill by adding Section 6, to read as follows:

"Sec. 6. The fact that there is no law in this State compelling adequate fire escapes for buildings, creates an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and said rule is hereby suspended, and this Act to take effect and shall be in force from and after its passage, and it is so enacted."

Simple Resolution No. 52.

(By unanimous consent.)

By Senator Astin:

Whereas, The Senate, by its President, has appointed one of its porters to take the mail to and from the postoffice in the city of Austin, and at the substation at the Capitol; and,

Whereas, Said porter has not been provided with a mail pouch for that purpose; therefore, be it

Resolved by the Senate, That the Sergeant-at-Arms be requested to purchase said mail pouch, to cost not exceeding five dollars, and that the mail pouch be paid for out of the contingent fund.

The resolution was read and adopted.

Senate Bill No. 50.

(Pending business.)

Action recurred on the pending business, S. B. No. 50, and,

Senator Lattimore offered the following amendment, which was read and adopted:

Amend the bill, page 1, line 21, by inserting before the word "one," the words "at least," and by striking out the words "or more," and inserting in lieu thereof the words "and as many additional," and by striking out the word "the" at the end of line 23, and all of lines 24, 25, 26 and the word "inspectors," in line 27, and inserting in lieu thereof the following:

"By the head of the fire department of that city or town in or near which such building may be located,

if there be one, or by the mayor, if there be no head of such fire department, or by the Commissioner of Labor Statistics, if such building be not in or near any incorporated city or town, or one having a head of its fire department."

Senator Wiley offered the following amendment:

Amend the bill, page 2, line 11, as follows:

"It shall be the duty of the school board controlling any school in Texas, conducted in a building two or more stories in height, to have the building equipped with necessary fire escapes as is provided herein."

Senator Lattimore offered the following amendment to the amendment:

Amend amendment by striking out the word "two," and inserting the word "three."

CONNER.
LATTIMORE.

Senator Johnson moved to table the amendment to the amendment, which motion was adopted.

Senator Johnson moved to table the amendment, which motion was lost by the following vote:

Yeas—6.

Astin.	Johnson.
Conner.	Lattimore.
Henderson.	Parr.

Nays—15.

Bailey of Harris.	McGregor.
Bee.	McNealus.
Clark.	Morrow.
Darwin.	Suiter.
Hall.	Townsend.
Harley.	Westbrook.
Harris.	Wiley.
King.	

Present—Not Voting.

Robbins.

Absent.

Brelsford.	Nugent.
Gibson.	Page.
Hudspeth.	

Absent—Excused.

Bailey of DeWitt. Smith.
Cowell.

The amendment was then adopted.

The bill was read second time, and passed to engrossment.

12—Senate

On motion of Senator Townsend, the constitutional rule requiring bills to be read on three several days was suspended, and S. B. No. 50 put on its third reading and final passage by the following vote:

Yeas—22.

Astin.	Johnson.
Bailey of Harris.	King.
Bee.	Lattimore.
Clark.	McGregor.
Conner.	McNealus.
Darwin.	Parr.
Gibson.	Robbins.
Hall.	Suiter.
Harley.	Townsend.
Harris.	Westbrook.
Henderson.	Wiley.

Present—Not Voting.

Morrow.

Absent.

Brelsford.	Nugent.
Hudspeth.	Page.

Absent—Excused.

Bailey of DeWitt. Smith.
Cowell.

The bill was read third time, and passed by the following vote:

Yeas—17.

Astin.	King.
Bailey of Harris.	McGregor.
Bee.	McNealus.
Clark.	Parr.
Darwin.	Suiter.
Hall.	Townsend.
Harley.	Westbrook.
Harris.	Wiley.
Johnson.	

Nays—5.

Conner.	Lattimore.
Gibson.	Morrow.
Henderson.	

Absent.

Brelsford.	Page.
Hudspeth.	Robbins.
Nugent.	

Absent—Excused.

Bailey of DeWitt. Smith.
Cowell.

Senator Townsend moved to reconsider the vote by which S. B. No.

50 was passed and table the motion to reconsider.

The motion to table prevailed.

Senate Bill No. 41.

(By unanimous consent.)

The Chair laid before the Senate, on second reading,

S. B. No. 41, A bill to be entitled "An Act to amend Article 3496, entitled Estates of Decedents, Chapter 22, Title 52, of the Revised Statutes of the State of Texas, 1911, regulating the sale of property belonging to estates of decedents."

Senator Suiter offered the following amendment, which was read and adopted:

Amend S. B. No. 41, by striking out, in line 18, page 1, the words "or for credit."

Senator Lattimore offered the following amendment, which was read and adopted:

Amend the bill, line 20, by striking out the word "administer," and inserting the word "administrator."

Senator Astin offered the following amendment:

Amend S. B. No. 41, by inserting after the word "court," in line 20, page 1, the following:

"Provided, that one-fifth of the purchase price must be paid in cash."

SUITER.

M'NEALUS.

ASTIN.

The amendment was read and adopted.

Senator Bee offered the following amendment, which was read and adopted:

Amend by inserting the words "at public or private sale," in line 17, after the word "may" in said line."

The bill was read second time, and passed to engrossment.

On motion of Senator Lattimore, the constitutional rule requiring bills to be read on three several days was suspended, and S. B. No. 41 put on its third reading and final passage by the following vote:

Yeas—23.

Astin.	Harris.
Bailey of Harris.	Henderson.
Bee.	Johnson.
Conner.	King.
Darwin.	Lattimore.
Gibson.	McGregor.
Hall.	McNealus.

Morrow.
Page.
Parr.
Robbins.

Suiter.
Townsend.
Westbrook.
Wiley.

Absent.

Brelsford. Hudspeth.
Clark. Nugent.
Harley.

Absent—Excused.

Bailey of DeWitt. Smith.
Cowell.

The bill was read third time, and passed by the following vote:

Yeas—23.

Astin.	Lattimore.
Bailey of Harris.	McGregor.
Bee.	McNealus.
Clark.	Morrow.
Conner.	Page.
Darwin.	Parr.
Gibson.	Robbins.
Hall.	Suiter.
Harris.	Townsend.
Henderson.	Westbrook.
Johnson.	Wiley.
King.	

Absent.

Brelsford. Hudspeth.
Harley. Nugent.

Absent—Excused.

Bailey of DeWitt. Smith.
Cowell.

Senator Lattimore moved to reconsider the vote by which S. B. No. 41 was passed and table the motion to reconsider.

The motion to table prevailed.

Senate Bill No. 22.

(By unanimous consent.)

The Chair laid before the Senate, on second reading,

S. B. No. 22, A bill to be entitled "An Act to amend Section 116, of Chapter 96, Acts of Regular Session of the Thirty-second Legislature, providing for the granting of teacher's certificates, and declaring an emergency."

The bill was read second time, and passed to engrossment.

On motion of Senator Johnson, the constitutional rule requiring bills to be read on three several days was

suspended, and S. B. No. 22 put on its third reading and final passage by the following vote:

Yeas—22.

Astin.	Lattimore.
Bailey of Harris.	McGregor.
Bee.	McNealus.
Clark.	Morrow.
Conner.	Page.
Darwin.	Parr.
Gibson.	Robbins.
Harris.	Suiter.
Henderson.	Townsend.
Johnson.	Westbrook.
King.	Wiley.

Absent.

Brelsford.	Hudspeth.
Hall.	Nugent.
Harley.	

Absent—Excused.

Bailey of DeWitt.	Smith.
Cowell.	

The bill was read third time, and passed by the following vote:

Yeas—22.

Astin.	Henderson.
Bailey of Harris.	Johnson.
Bee.	King.
Clark.	Lattimore.
Conner.	McGregor.
Darwin.	McNealus.
Gibson.	Morrow.
Harris.	Page.
Parr.	Townsend.
Robbins.	Westbrook.
Suiter.	Wiley.

Absent.

Brelsford.	Hudspeth.
Hall.	Nugent.
Harley.	

Absent—Excused.

Bailey of DeWitt.	Smith.
Cowell.	

Senator Johnson moved to reconsider the vote by which S. B. No. 22 was passed and table the motion to reconsider.

The motion to table prevailed.

Senate Bill No. 7.

The Chair laid before the Senate, as regular order,
S. B. No. 7, A bill to be entitled

"An Act defining loan brokers, and providing that loan brokers shall give bond, and the requisites of such bond, and providing for the recording of such bond and its renewal every twelve months, and providing that a separate bond shall be given for each place of business conducted, and providing for the keeping of books by loan brokers and what such books shall contain, and providing that such books shall be open for inspection, and providing that service of citation upon the county judge of the county in which the business is conducted, shall support a judgment against any non-resident person, firm or corporation conducting such business, and providing that citation upon any person employed by a loan broker shall be sufficient to support a judgment on such bond, and against any property owned by such loan broker, in the State of Texas, and providing that it shall be unlawful to conduct such business if any judgment remain unpaid sixty days after such final judgment, and providing for penalties for the violation thereof, and providing that judgment obtained against any loan broker is collectible out of the bond provided for, and affixing a penalty for doing business as a loan broker without the compliance with the provisions of this Act, and providing that each assignment of wages or order for unpaid wages and chattel mortgage or bill of sale to household or kitchen furniture shall be void unless same be signed and acknowledged by the wife separately, and providing for the payment of an annual tax, and making compromise for usury and interest unlawfully collected, contrary to public policy, is void, and declaring an emergency."

The bill was read second time, and passed to engrossment.

On motion of Senator Bailey of Harris, the constitutional rule requiring bills to be read on three several days was suspended, and S. B. No. 7 put on its third reading and final passage by the following vote:

Yeas—23.

Astin.	Hall.
Bailey of Harris.	Harris.
Bee.	Henderson.
Clark.	Johnson.
Conner.	King.
Darwin.	Lattimore.
Gibson.	McGregor.

McNealus.	Suiter.
Morrow.	Townsend.
Page.	Westbrook.
Parr.	Wiley.
Robbins.	

Absent.

Brelsford.	Hudspeth.
Harley.	Nugent.

Absent—Excused.

Bailey of DeWitt. Smith.
Cowell.

The bill was laid before the Senate and read third time. Pending.

Senate Bill No. 18.

(By unanimous consent.)

The Chair laid before the Senate, on third reading,

S. B. No. 18, A bill to be entitled "An Act to amend Article 3878 of An Act entitled 'Fees of Notaries Public, Chapter 3, Title 58, of the Revised Civil Statutes of Texas, 1911,' fixing fees of notaries public for protesting bills or notes, issuing notices, giving certificates, taking acknowledgments, making copies, taking depositions and administering oaths."

The bill was read third time, and passed.

Senator Wiley moved to reconsider the vote by which S. B. No. 18 was passed and table the motion to reconsider.

The motion to table prevailed.

Senate Bill No. 96.

(By unanimous consent.)

The Chair laid before the Senate, on second reading,

S. B. No. 96, A bill to be entitled "An Act to amend Sections 1, 2, 3 and 5, of Chapter 35, Acts of the Twenty-ninth Legislature, which is an Act to regulate the sale of cocaine and other drugs; to regulate the issuance of prescriptions for such drugs; to require persons selling such drugs upon prescriptions to file same, and to provide that nothing in this Act shall prevent the sale of certain preparations containing not more than two grains of opium, one-eighth grain of morphine, two grains

of chloral hydrate and one-sixteenth grain of cocaine, in one fluid ounce, and to provide penalties for the violations thereof, and repealing all laws in conflict herewith, and providing for an emergency."

Senator Lattimore offered the following amendment, which was read and adopted:

Amend the bill, page 2, by striking out all of Section 1 after the words "not more than," in line 9, and inserting the following in lieu thereof:

"One-quarter grain of morphine or not more than one-eighth grain of heroin, or not more than one grain of codeine, or not more than two grains of chloral hydrate, or more than one-sixteenth grain of cocaine, or any salts or derivatives of them in one fluid ounce; or if solid or semi-solid preparation, in one avoirdupois ounce or to linaments, ointments or other preparation which are prepared for external use only."

Senator Johnson offered the following amendment, which was read and adopted:

Amend the bill, page 2, line 31, by striking out the figures "5,000," and inserting in lieu thereof the figures "2,000."

Senator Bee offered the following amendment, which was read and adopted:

Amend by striking out in line 23, page 2, all after the word "being," and ending with the word "habit," in line 28.

Senator Morrow offered the following amendment:

Amend the bill, page 2, line 28, by striking out all of said line and all of lines 29, 30, 31 and 32.

Senator Wiley offered the following substitute for the above amendment:

Amend the bill, page 2, lines 31 and 32, as follows:

Insert a period after the word "employe," in line 31, and strike out the words "in towns and cities of 5,000 inhabitants, or more, thereof," in lines 31 and 32.

Pending.

Message From the Governor.

Governor's Office,
Austin, Texas, January 26, 1915.

To the Texas State Senate:

I ask the advice and consent of the Senate to the appointment of

Dr. W. B. Collins, of Houston County, to be State Health Officer of Texas.

Respectfully submitted,
JAS. E. FERGUSON,
Governor.

Adjournment.

On motion of Senator McNealus, the Senate, at 5:06 o'clock p. m., adjourned until 1:30 o'clock p. m., tomorrow.

APPENDIX A.

Committee Reports.

Committee Room.

Austin, Texas, January 26, 1915.

Hon. W. P. Hobby, President of the Senate:

Sir: Your Committee on Finance, to whom was referred H. B. No. 197,

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be printed in the Journal.

ASTIN, Acting Chairman.

Following is the caption:

H. B. No. 197, A bill to be entitled "An Act to make an emergency appropriation for the maintenance, support and direction of the Agricultural and Mechanical College for the fiscal year ending August 31, 1915, and declaring an emergency."

Whereas, There is no appropriation out of the general revenues of the State of Texas for the maintenance, support and direction of the Agricultural and Mechanical College for the fiscal year ending August 31, 1915, necessitating the closing of the Agricultural and Mechanical College unless such additional funds are provided for at an early date: and,

Whereas, The sum of \$82,750 is necessary to provide for the urgent necessity and needs now required for the maintenance, support and direction of said college at this time; therefore,

Senate Bill No. 21—Senatorial Redistricting.

Printed here by order of the Senate:

S. B. No. 21.

By Johnson.

A BILL

To be entitled

An Act to apportion the State of Texas into Senatorial districts; to specify the county to which returns of an election shall be sent, on which the county judge shall issue certificates of election, repealing all laws in conflict herewith, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That the State of Texas be, and it is hereby apportioned into Senatorial districts as follows:

District No. 1.—Bowie, Cass, Red River, Morris, Titus, and Camp.

District No. 2.—Marion, Harrison, Upshur, Gregg, Panola, and Rusk.

District No. 3.—Delta, Hopkins, Franklin, Wood, Rains, and Smith.

District No. 4.—Lamar, Fannin, and Hunt.

District No. 5.—Grayson and Collin.

District No. 6.—Dallas and Rockwall.

District No. 7.—Kaufman, Van Zandt, Henderson, Anderson, and Cherokee.

District No. 8.—Navarro, Freestone, and Ellis.

District No. 9.—Shelby, Nacogdoches, Sabine, San Augustine, Angelina, Houston, and Trinity.

District No. 10.—Jefferson, Orange, Newton, Jasper, Tyler, Hardin, Polk, Liberty, and Chambers.

District No. 11.—Leon, Madison, Walker, San Jacinto, Montgomery, Grimes, Brazos, and Burleson.

District No. 12.—Limestone, Falls, Robertson, and Milam.

District No. 13.—Harris and Waller.

District No. 14.—Galveston, Brazoria, Fort Bend, Wharton, Matagorda, and Jackson.

District No. 15.—Washington, Austin, Lee, Fayette, Colorado, and Lavaca.

District No. 16.—Travis, Williamson, and Bastrop.

District No. 17.—Bell, Coryell, Hamilton, Mills, Lampasas, and Burnet.

District No. 18.—McLennan, and Hill.

District No. 19.—Johnson, Hood, Somervell, Erath, Comanche, and Bosque.

District No. 20.—Tarrant and Parker.

District No. 21.—Cooke, Denton, Montague, and Wise.

District No. 22.—Clay, Jack, Wichita, Archer, Young, Wilbarger, Baylor, Throckmorton, Hardeman, Foard, Knox, and Haskell.

District No. 23.—Palo Pinto, Stephens, Eastland, Shackelford, Calhoun, Jones, and Taylor.

District No. 24.—Brown, Coleman, Runnels, Concho, McCulloch, San Saba, Mason, Llano, and Gillespie.

District No. 25.—Blanco, Hays, Comal, Caldwell, Guadalupe, and Gonzales.

District No. 26.—Bexar, Kendall, Kerr, and Bandera.

District No. 27.—Wilson, Atascosa, Karnes, DeWitt, Goliad, Victoria, Calhoun, Refugio, Bee, Live Oak, McMullen, Jim Wells, Nueces, Kleberg, San Patricio, and Aransas.

District No. 28.—Uvalde, Medina, Frio, Zavala, Maverick, Dimmit, Webb, Duval, Zapata, Brooks, Jim Hogg, Willacy, Cameron, Hidalgo, Starr, and LaSalle.

District No. 29.—El Paso, Culbertson, Reeves, Jeff Davis, Presidio, Brewster, Pecos, Terrell, Crockett, Val Verde, Schleicher, Menard, Sutton, Kimble, Edwards, Real, and Kinney.

District No. 30.—Stonewall, Fisher, Nolan, Coke, Tom Green, Kent, Scurry, Mitchell, Sterling, Irion, Garza, Borden, Howard, Glasscock, Reagan, Lynn, Dawson, Martin, Midland, Upton, Terry, Yoakum, Gaines, Andrews, Ector, Crane, Winkler, Ward, and Loving.

District No. 31.—Dallam, Sherman, Hansford, Ochiltree, Lipscomb, Hemphill, Roberts, Hutchison, Moore, Hartley, Oldham, Potter, Carson, Gray, Wheeler, Collingsworth, Donley, Armstrong, Randall, Deaf Smith, Palmer, Castro, Swisher, Briscoe, Hall, Childress, Cottle, Motley, Floyd, Hale, Lamb, Bailey, Cochran, Hockley, Lubbock, Crosby, Dickens, and King.

Sec. 2. In the several districts the county judge of the following named counties shall receive the returns and issue a certificate of election to the Senator elected, as shown by the highest number of votes cast for any one person in the respective districts:

In the First District.—Bowie County.

In the Second District.—Harrison County.

In the Third District.—Hopkins County.

In the Fourth District.—Fannin County.

In the Fifth District.—Grayson County.

In the Sixth District.—Dallas County.

In the Seventh District.—Kaufman County.

In the Eighth District.—Ellis County.

In the Ninth District.—Angelina County.

In the Tenth District.—Jefferson County.

In the Eleventh District.—Grimes County.

In the Twelfth District.—Limestone County.

In the Thirteenth District.—Harris County.

In the Fourteenth District.—Galveston County.

In the Fifteenth District.—Washington County.

In the Sixteenth District.—Travis County.

In the Seventeenth District.—Bell County.

In the Eighteenth District.—McLennan County.

In the Nineteenth District.—Johnson County.

In the Twentieth District.—Tarrant County.

In the Twenty-first District.—Cooke County.

In the Twenty-second District.—Clay County.

In the Twenty-third District.—Eastland County.

In the Twenty-fourth District.—Brown County.

In the Twenty-fifth District.—Guadalupe County.

In the Twenty-sixth District.—Bexar County.

In the Twenty-seventh District.—Nueces County.

In the Twenty-eighth District.—Uvalde County.

In the Twenty-ninth District.—El Paso County.

In the Thirtieth District.—Nolan County.

In the Thirty-first District.—Potter County.

Sec. 3. The fact that it is necessary to re-district the State after the publication of each Federal census, and that much time has already

elapsed since such publication, creates an emergency and an imperative public necessity that the rule requiring bills to be read on three several days be suspended, and the same is hereby suspended, and this Act shall take effect and be in force from and after its passage and approval, and it is so enacted.

Committee Reports.

Committee Room,
Austin, Texas, January 26, 1915.

Hon. W. P. Hobby, President of the Senate.

Whereas, We, the Committee on Military Affairs, met on the 26th day of January, 1915, and have heard the presentation of the charges preferred by General Townsend against General Hutchings; and,

Whereas, The committee has decided and found that said charges as preferred were not substantiated; and,

Whereas, We find that these charges were matters of policy and custom as affecting the Adjutant General's Department, coming within the power of the Governor as Commander-in-Chief of the Texas National Guard, and were matters over which the Adjutant General had no absolute control; therefore, be it

Resolved, That we, the Senate Committee on Military Affairs, hereby report to the Senate that we find that General Hutchings' conduct has been honorable in the discharge of his official duty, and that we hereby exonerate him from any charge of moral turpitude or official misconduct affecting his office.

Robbins, chairman; Harley, Suiter, Harris, Johnson.

Committee Room,
Austin, Texas, January 26, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Rules, to whom was referred

S. R. No. 41, to amend S. R. No. 36,

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

DARWIN, Chairman.

Committee Room,
Austin, Texas, January 26, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Rules, to whom was referred

H. C. R. No. 1, providing the form for printed bills,

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

DARWIN, Chairman.

Committee Room,
Austin, Texas, January 26, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Rules, to whom was referred

S. R. No. 42, in regard to bills relating to platform demands,

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

DARWIN, Chairman.

(Minority Report.)

Committee Room,
Austin, Texas, January 26, 1915.

Hon. W. P. Hobby, President of the Senate.

We, a minority of your Committee on Rules, to whom was referred

S. R. No. 42, beg leave to report same back to the Senate, and recommend that it do not pass, and be not printed.

DARWIN.

Committee Room,
Austin, Texas, January 26, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Commerce and Manufactures, to whom was referred

S. B. No. 137, A bill to be entitled "An Act to aid in the collection of unpaid taxes; to forbid and prevent the issuance of tax receipts for current taxes when there are unpaid back taxes; providing penalties and making law cumulative, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate

with the recommendation that it do pass.

LATTIMORE, Chairman.

Committee Room.

Austin, Texas, January 26, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Roads, Bridges and Ferries, to whom was referred

S. B. No. 141, A bill to be entitled "An Act to create a special and more efficient road system for Collin County, in the State of Texas," etc.,

Have had the same under consideration, and beg to report it back to the Senate with the recommendation that it do pass, and be not printed.

HENDERSON, Chairman.

Committee Room.

Austin, Texas, January 26, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Roads, Bridges and Ferries, to whom was referred

S. B. No. 76, A bill to be entitled "An Act to amend the Act of the Twenty-eighth Legislature of Texas (Laws of Special Session, Chapter 1), entitled 'An Act to render more effective and efficient the present road law in the State of Texas * * * by further omitting the county of Wood from said Act,' etc.,

Have had the same under consideration, and beg to report it back to the Senate with the recommendation that it do pass, and be not printed.

HENDERSON, Chairman.

Committee Room.

Austin, Texas, January 26, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred

S. B. No. 12, A bill to be entitled "An Act to create and establish the county of Lanham, in honor of S. W. T. Lanham, taken from the existing territory of Duval County, prescribing its area and boundaries," etc.,

Have had the same under consideration, and beg to report the same back to the Senate with the recommendation that Section 2 of said bill be so amended as to read as follows:

"Sec. 2. That Wm. A. Tinney, S. S. Jamison, N. E. Martinez, Hays Roach and S. C. Navarro are hereby appointed commissioners to organize said county, and before entering upon their duties herein prescribed, shall take an oath before some officer qualified in administering oaths, faithfully and carefully to discharge their said duties."

We further recommend that the bill, as amended, do pass, and be not printed.

PARR, Chairman.

Committee Room.

Austin, Texas, January 26, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Agricultural Affairs, to whom was referred

S. B. No. 139, A bill to be entitled "An Act to protect the grounds, campus, lawns, fields, roadways, trees, shrubs, flowers and premises of the Texas educational and eleemosynary institutions against damage by horses, mules, cattle and other live stock; to prohibit the running of stock at large upon any of the lands or premises owned by any of the said institutions; providing for the keeping of a pound by the authorities of said institutions, and providing for the appointment of a pound keeper; providing for the protection of all game birds and wild birds and wild animals upon land belonging to any of the said Texas institutions; declaring said lands to be a game and wild animal preserve, and prohibiting the killing of game birds or wild birds or wild animals thereon at all seasons; prohibiting the discharge of fire arms upon the lands and premises of any of said institutions except under certain restrictions; providing penalties for the violation of any of the provisions of this Act, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

ASTIN, Chairman.

Committee Room.

Austin, Texas, January 25, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Agricultural Affairs, to whom was referred H. C. R. No. 2:

Whereas, The Congress of the United States has passed an Act, approved by the President, May 8, 1914, entitled "An Act to provide for co-operation in agricultural extension work between the agricultural colleges in the several States receiving the benefits of the Act of Congress, approved July 2, 1862, and the Acts supplementary thereto and the United States Department of Agriculture," and,

Whereas, It is provided in Section 3 of the Act aforesaid that the grants of money authorized by this Act shall be paid annually "to each State which shall by the action of its Legislature consent to the provisions of this Act," therefore, be it

Resolved, by the House of Representatives, the Senate concurring, that the consent of the Legislature of the State of Texas is hereby given to the provisions and requirements of said Act, and that the treasurer of the Agricultural and Mechanical College of Texas, or such other fiscal agency as may be designated by the Board of Directors of said college, be, and he is hereby authorized and empowered, to receive the grants of money appropriated under said Act, and to authorize and conduct agricultural extension work which shall be carried on in connection with the Agricultural and Mechanical College of Texas in accordance with the terms and conditions expressed in the Act of Congress aforesaid,

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be printed in the Journal.

ASTIN, Chairman.

(Note: The entire resolution is contained in the above committee report.)

Committee Room,
Austin, Texas, January 26, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Agricultural Affairs, to whom was referred S. B. No. 81, A bill to be entitled "An Act to amend Title 65, Chapter 6, Article 4435, Revised Statutes, 1911, as to the qualifications of the Commissioner of Agriculture,"

Have had the same under consideration, and I am instructed to report the same back to the Senate

with the recommendation that it do pass.

ASTIN, Chairman.

Engrossing Committee Reports.

Committee Room,
Austin, Texas, January 26, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills, have carefully compared Senate Bill No. 42, and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, January 26, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills, have carefully compared Senate Bill No. 99, and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, January 26, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills, have carefully compared Senate Bill No. 36, and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, January 26, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills, have carefully compared Senate Bill No. 86, and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, January 26, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills, have carefully compared Senate Bill No. 6, and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, January 26, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on En-

grossed Bills, have carefully compared Senate Bill No. 70, and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, January 26, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills, have carefully compared Senate Bill No. 16, and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, January 26, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills, have carefully compared Senate Bill No. 18, and find the same correctly engrossed.

WESTBROOK, Chairman.

TWELFTH DAY.

Senate Chamber,
Austin, Texas,

Wednesday, January 27, 1915.

The Senate met at 1:30 o'clock p. m., pursuant to adjournment, and was called to order by Lieutenant Governor W. P. Hobby.

The roll was called, a quorum being present, the following Senators answered to their names:

Astin.	Lattimore.
Bailey of Harris.	McGregor.
Bee.	McNealus.
Clark.	Morrow.
Conner.	Page.
Darwin.	Parr.
Hall.	Robbins.
Harley.	Suiter.
Harris.	Townsend.
Henderson.	Westbrook.
Johnson.	Wiley.
King.	

Absent.

Brelsford.	Hudspeth.
Gibson.	Nugent.

Absent—Excused.

Bailey of DeWitt. Smith.
Cowell.

Prayer by the Chaplain.

Pending the reading of the Jour-

nal of yesterday, the same was dispensed with on motion of Senator Westbrook.

See Appendix for Committee Reports and Petitions and Memorials.

Message From the Governor.

Governor's Office,
January 27, 1915.

To the Texas State Senate:

I ask the advice and consent of the Senate to the appointment of

Dr. J. J. Williams, of Limestone County,

Dr. J. H. McLean, of Tarrant County,

Dr. M. P. McElhannon, of Bell County,

Dr. John S. McCelvey, of Bell County,

Dr. W. T. Swain, of Dallas County,

Dr. H. B. Mason, of Bell County,

Dr. S. L. Caathorn, of Dallas County,

Dr. H. C. Morrow, of Travis County.

Dr. T. J. Crowe, of Dallas County,

Dr. M. A. Cooper, of Childress County, and

Dr. M. F. Butencourt, of Falls County,

To be the State Board of Medical Examiners of Texas.

Respectfully submitted,

JAS. E. FERGUSON,

Governor.

Simple Resolution No. 41.

Senator Morrow called up, under head of Committee Reports, S. C. R. No. 41, A resolution providing for amending S. R. No. 36, so it shall read as follows:

Rule 36: All resolutions except those named in S. R. No. 35, shall be referred to appropriate committees; provided, that on motion by unanimous consent, they may be acted on at once.

The committee report recommended that the resolution do pass and be not printed.

Executive Session.

The Chair here announced that the hour, 2 o'clock p. m., the hour that the Senate had previously designated to hold Executive Session, had arrived, and directed the Chamber